

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**GODFATHER'S PIZZA, INC.;**

**Plaintiff,**

**vs.**

**ANTON KAWAK; and EAST AND WEST,  
INC., a Wisconsin corporation,**

**Defendants.**

**8:22CV248**

**ORDER TO SHOW CAUSE**

This matter comes before the court after a review of the docket and pursuant to NECivR. [41.2](#), which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on July 8, 2022. ([Filing No. 1](#)). On July 13, 2022, Plaintiff filed summons returns purporting to show the defendants were served on July 12, 2022. ([Filing No. 8](#)). On August 29, 2022, Plaintiff filed a motion for clerk’s entry of default ([Filing No. 9](#)) and the Clerk of Court entered default against the defendants on the same date ([Filing No. 10](#)). Plaintiff has taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, see NECivR. 55.1; Fed. R. Civ. P. 55, voluntarily dismiss this case, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or this action will be dismissed. Accordingly,

**IT IS ORDERED:** On or before **December 19, 2022**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 30<sup>th</sup> day of November, 2022.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge